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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/611,476	07/01/2003	Robert E. Wycoff	PWYC0002/MRK	3301
29524 7590 07/27/2007 KHORSANDI PATENT LAW GROUP, A.L.C. 140 S. LAKE., SUITE 312 PASADENA, CA 91101-4710			EXAMINER COLAN, GIOVANNA B	
			ART UNIT 2162	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/611,476

Applicant(s)

WYCOFF, ROBERT E.

Examiner

Giovanna Colan

Art Unit

2162

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 May 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 23-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 23-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.



**SAM RIMELL
PRIMARY EXAMINER**

Attachment(s)

- | | |
|--------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is issued in response to the Amendment filed on 05/02/2007.
2. Claims 23 – 25, and 27 – 28 were amended. Claims 1 – 22 were canceled. No claims were added.
3. This action is made Final.
4. Claims 23 – 28 are pending in this application.

Response to Arguments

5. Applicant's arguments with respect to amended claims 23 – 25, and 27 – 28 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 23 – 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Knight (US Patent No. 6,515,681 B1, filed: May 11, 1999), in view of Buck et al. (Buck hereinafter) (US Patent No. 6,070,866, filed: September 14, 1998), and further in view of Brown et al. (Brown hereinafter) (US Patent No. 5,887,133).

Regarding Claim 23, Knight discloses an Internet-based computer system for generating a message board display of an Internet-based message board, wherein the message board display comprises a beginning message board line position and a plurality of message board display line positions relevant to the beginning message board line position, said computer system comprising an at least one server computer programmed to:

A) receive a plurality of user input messages from a plurality of respective users (Col. 6, lines 10 – 13, Knight);

B) receive a plurality of advertising offers from a plurality of respective advertising subscribers, wherein each respective advertising offer of the plurality of advertising offers comprises (Col. 24, lines 33 – 36, Knight):

1) advertising message (Col. 24, lines 33 – 36, Knight).

Knight also discloses message board display lines for the message board display (Col. 16, lines 50 – 55, Knight). However, Knight is silent with respect to: hypertext link. On the other hand, Buck discloses: a respective hypertext link to an advertising message (Fig. 2B, item 4A, Col. 6, lines 38 – 41, Buck).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the Buck's teachings to the system Knight. Skilled artisan would have been motivated to do so, as suggested by Buck (Col. 6, lines 45 – 47, Buck), to provide users the ability to select a listed site and then transferred to the Web site location via link. In addition, both of the references (Knight and Buck) teach features that are directed to analogous art and they are directed to the same field of

endeavor, such as, databases management systems, advertising, and user messages. This close relation between both of the references highly suggests an expectation of success.

Furthermore, the combination of Knight in view of Buck discloses:

2) a corresponding fixed line number within the plurality of message board display lines positions for the message board display, for a display of the respective hypertext link (Fig. 3D, and 4, item 365, and 415 and 430, Col. 16 and 20, lines 50 – 55 and 18 – 27; respectively, Knight; and Fig. 4A, Col. 6, lines 23 – 28, Buck), wherein the corresponding fixed line number comprises a particular message board display line position of the plurality of message board display line positions, and wherein the corresponding fixed line number comprises a particular message board display line position relevant to the beginning message board line position (Fig. 3B, Col. 12, lines 2 – 18; wherein the limitations: a particular message board display line position of the plurality of message board display line positions and the a particular message board display line position relevant to the beginning message board line position is inherent in the teachings of Knight. Specifically, it is inherent in the teachings regarding the sorted messages as shown in Fig 3B. The Examiner makes note that in order to display the messages in sorted order, for example, one after the other, organized by date where every line has a message as shown by the Figure, there must be a particular line positions relevant to the beginning message board line position);

C) generate the message board display (Col. 11, lines 37 – 42, Knight)
comprising:

3) each user input message of the plurality of user input messages
displayed at a respective variable line of the plurality of message board display
lines positions (Col. 12, lines 2 – 13, “area/class/subclass identifier”, Knight),
relative to the beginning message board line position according to a sort order of
the plurality of user input messages (Fig. 3B, item 330, Col. 16, lines 23 – 26 and
56 – 58; respectively; wherein as shown in Figure 3B “Date”, the messages are
displayed according to the sort order, Knight), and

4) each respective hypertext link displayed at the corresponding fixed line
number of the message board display (Fig. 3D, and 4, item 365, and 415 and
430, Col. 16 and 20, lines 50 – 55 and 18 – 27; respectively, Knight; and Fig. 4A,
Col. 6, lines 23 – 28, Buck).

However, the combination of Knight in view of Buck does not explicitly disclose
that each respective hypertext link displayed at the corresponding fixed line number of
the message board display, independent of the sort order. On the other hand, Brown
discloses each respective hypertext link displayed at the corresponding fixed line
number of the message board display, independent of the sort order (Fig. 8 and 9, items
242, and 240, Col. 4 and 11, lines 9 – 12 and 42 – 49, and 4 – 10; respectively, wherein
the step of substituting document portion (advertisement) in place of the original
document portion (advertisement) teaches that the Brown’s advertisements are always

displayed in the same and fixed line positions of the display including displaying them at a corresponding fixed line number, independent of the sort order, "matching the dimensions of the substitute document portion with the dimensions of the original document portion being replaced, i.e., the undesired original document portion...", Brown).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the Brown's teachings to the system of the combination of Knight in view of Buck. Skilled artisan would have been motivated to do so, as suggested by Brown (Col. 4, lines 42 – 49, Brown), to ensure that the swapped information will be of appropriate size when rendered on the user's screen, thus preserving the page layout which would have been obtained without swapping. In addition, the applied references (Knight, Buck, and Brown) teach features that are directed to analogous art and they are directed to the same field of endeavor, such as, databases management systems, advertising offers, messages, and display positions. This close relation between the applied references highly suggests an expectation of success.

Regarding Claim 24, the combination of Knight in view of Buck and further in view of Brown discloses a computer system, the at least one server computer further programmed to:

D) update the message board display with a new user input message displayed at a respective variable line of the plurality of message board display line positions,

relative to the beginning message board line position, according to the sort order (Fig. 3B, item 330, Col. 16, lines 23 – 26 and 56 – 58; respectively; wherein as shown in Figure 3B “Date”, the messages are displayed according to the sort order, Knight); and

E) preserve the message board display of the hypertext link position at the corresponding fixed line number of the message board display (Fig. 3D, and 4, item 365, and 415 and 430, Col. 16 and 20, lines 50 – 55 and 18 – 27; respectively, Knight; and Fig. 4A, Col. 6, lines 23 – 28, Buck).

Regarding Claim 25, the combination of Knight in view of Buck discloses an Internet-based Computer system for generating a message board display of an Internet-based message board, said computer system comprising an at least one server computer programmed to:

A) receive a plurality of user input messages from a plurality of respective users (Col. 6, lines 10 – 13, Knight);

B) receive a plurality of advertising offers from a plurality of respective advertising subscribers (Col. 24, lines 33 – 36, Knight), wherein each respective advertising offer of the plurality of advertising offers comprises:

1) a respective hypertext link to an advertising message (Col. 16, lines 50 – 55, Knight; and Fig. 2B, item 4A, Col. 6, lines 38 – 41, Buck), and

2) a corresponding fixed line number within a plurality of message board display lines for the message board display, for a display of the respective hypertext link (Fig. 3D, and 4, item 365, and 415 and 430, Col. 16 and 20, lines

50 – 55 and 18 – 27; respectively, Knight; and Fig. 4A, Col. 6, lines 23 – 28, Buck), wherein the corresponding fixed line number comprises a particular message board display line relevant to a first message board display line of the message board display (Fig. 3B, Col. 12, lines 2 – 18; wherein the limitations: a particular message board display line position of the plurality of message board display line positions and the a particular message board display line position relevant to the beginning message board line position is inherent in the teachings of Knight. Specifically, it is inherent in the teachings regarding the sorted messages as shown in Fig 3B. The Examiner makes note that in order to display the messages in sorted order, for example, one after the other, organized by date where every line has a message as shown by the Figure, there must be a particular line positions relevant to the beginning message board line position);

C) generate the message board display of the plurality of message board display lines (Col. 11, lines 37 – 42, Knight) comprising:

3) the plurality of user input messages, wherein a respective line at a respective variable line position of the plurality of message board display lines, relative to the first message board display line of the message board display, is provided for a respective display of each respective user input message of the plurality of user input messages (Col. 12, lines 2 – 13, “area/class/subclass identifier”, Knight), wherein the respective variable line position is determined according to a sort order of the plurality of user input messages (Fig. 3B, item

330, Col. 16, lines 23 – 26 and 56 – 58; respectively; wherein as shown in Figure 3B “Date”, the messages are displayed according to the sort order, Knight), and 4) each respective hypertext link at a display line at the corresponding fixed line number of the message board display (Fig. 3D, and 4, item 365, and 415 and 430, Col. 16 and 20, lines 50 – 55 and 18 – 27; respectively, Knight; and Fig. 4A, Col. 6, lines 23 – 28, Buck).

Regarding Claim 26, the combination of Knight in view of Buck and further in view of Brown discloses a computer system, wherein each respective advertising subscriber of the plurality of respective advertising subscribers has paid a respective predetermined fee for a predetermined period of time for displaying the respective hypertext link at the corresponding fixed line number of the message board display (Col. 28, lines 17 – 20, Knight; and Col. 4, lines 13 – 28, Buck).

Regarding Claim 27, the combination of Knight in view of Buck and further in view of Brown discloses a computer system wherein each respective advertising subscriber of the plurality of respective advertising subscribers has paid a respective bid for a particular period of time for displaying the respective hypertext link at the corresponding fixed line number of the message board (Col. 28, lines 17 – 20, Knight; and Col. 4, lines 13 – 28, Buck).

Regarding Claim 28, the combination of Knight in view of Buck and further in view of Brown discloses an Internet-based computer system for generating a plurality of message board displays for a plurality of Internet-based message boards, said computer system comprising at least one server computer programmed to:

A) receive a plurality of user input messages from a plurality of respective message board users (Col. 6, lines 10 – 13, Knight), wherein each respective user input message of the plurality of user input messages comprises:

- 1) a respective user message (Col. 6, lines 10 – 13, Knight), and
- 2) a corresponding identification of a respective Internet-based message board of the plurality of Internet-based message boards on which the respective user message is to be displayed (Col. 12 and 20, lines 9 – 13 and 15 – 27; respectively, “this numerical index can be used on a daily basis by the service provider to automatically extract information of interest to the online community in one or two manners ...”, Knight);

B) receive a plurality of advertising offers from a plurality of respective advertising subscribers (Col. 24, lines 33 – 36, Knight), wherein each respective advertising offer of the plurality of advertising offers comprises:

- 3) a respective hypertext link to an advertising message (Col. 16, lines 50 – 55, Knight; and Fig. 2B, item 4A, Col. 6, lines 38 – 41, Buck),
- 4) a corresponding identification of a respective Internet-based message board of the plurality of Internet-based message boards on which the respective hypertext link is to be displayed (Col. 12 and 20, lines 9 – 13 and 15 – 27, Knight), and

5) a corresponding identification of a fixed line number within a plurality of message board display lines for the respective Internet-based message board for a display of the hypertext link (Fig. 3D, and 4, item 365, and 415 and 430, Col. 16 and 20, lines 50 – 55 and 18 – 27; respectively, Knight; and Fig. 4A, Col. 6, lines 23 – 28, Buck), wherein the fixed line number comprises an indication of a particular message board display line relevant to a first message board display line of the plurality of message board display lines for the respective Internet message board (Fig. 3B, Col. 12, lines 2 – 18; wherein the limitations: a particular message board display line position of the plurality of message board display line positions and the a particular message board display line position relevant to the beginning message board line position is inherent in the teachings of Knight. Specifically, it is inherent in the teachings regarding the sorted messages as shown in Fig 3B. The Examiner makes note that in order to display the messages in sorted order, for example, one after the other, organized by date where every line has a message as shown by the Figure, there must be a particular line positions relevant to the beginning message board line position);

C) for each respective Internet-based message board of the plurality of Internet-based message boards (Col. 11, lines 37 – 42, Knight), generate a display comprising:

6) each respective user message for which the corresponding identification of a respective message board corresponds to the respective Internet-based message board, wherein a respective line at a respective variable line number relative to the first message board display line is provided for display

of the respective user-message (Col. 12, lines 2 – 13, “area/class/subclass identifier”, Knight), wherein the respective variable line number is determined according to a sort order of the plurality of user input messages (Fig. 3B, item 330, Col. 16, lines 23 – 26 and 56 – 58; respectively; wherein as shown in Figure 3B “Date”, the messages are displayed according to the sort order, Knight), and

7) each respective hypertext link for which the corresponding identification of a respective Internet-based message board corresponds to the respective Internet-based message board, wherein the fixed line number within the plurality of message board display lines for the respective Internet-based message board is provided for display of the respective hypertext link (Fig. 3D, and 4, item 365, and 415 and 430, Col. 16 and 20, lines 50 – 55 and 18 – 27; respectively, Knight; and Fig. 4A, Col. 6, lines 23 – 28, Buck), and wherein the fixed line number does not change according to the sort order (Fig. 8 and 9, items 242, and 240, Col. 4 and 11, lines 9 – 12 and 42 – 49, and 4 – 10; respectively, wherein the step of substituting document portion (advertisement) in place of the original document portion (advertisement) teaches that the Brown's advertisements are always displayed in the same and fixed line positions of the display including displaying them at a corresponding fixed line number, in other words, it does not change according to the sort order, “matching the dimensions of the substitute document portion with the dimensions of the original document portion being replaced, i.e., the undesired original document portion...”, Brown).

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Prior Art Made Of Record

1. Knight (US Patent No. 6,515,681 B1, filed: May 11, 1999).
2. Buck et al. (US Patent No. 6,078,866, filed: September 14, 1998).
3. L. Vigil et al. (US 2001/0034654 A1).
4. Brown et al. (Brown hereinafter) (US Patent No. 5,887,133).


Points Of Contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Giovanna Colan whose telephone number is (571) 272-2752. The examiner can normally be reached on 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Giovanna Colan
Examiner
Art Unit 2162
July 20, 2007


SAM RIMELL
PRIMARY EXAMINER